

Remarks

This Reply is in response to the January 11, 2008 Office Action ("Office Action") issued in connection with the above-identified patent application. Reconsideration of the application in view of the following remarks is respectfully requested.

Summary of the Office Action

Claims 200-229 were pending in this application.

The specification was objected to as failing to provide proper antecedent basis for "machine readable medium" in claims 220-229.

Claims 200-201, 205-207, 209-211, 215-217, 219-221, 225-227, and 229 were rejected under 35 U.S.C. § 102(b) as being unpatentable over Banker et al. U.S. Patent No. 5,485,221 ("Banker").

Claims 202-204, 208, 212-214, 218, 222-224, and 228 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Banker in view of Ellis et al. U.S. Patent No. 5,986,650 ("Ellis").

Summary of the Applicants' Reply

Applicants have amended claims 200 and 210 to address an informality. Applicants cancel claims 220-229 without prejudice. The Examiner's rejections are respectfully traversed.

Reply to the Objection to the Specification

The specification was objected to as failing to provide proper antecedent basis for "machine readable

medium" in claims 220-229. In the interest of expediting prosecution, applicants have canceled claims 220-229 without prejudice. The cancellation of these claims renders the objection moot.

Reply to the Rejections

The present invention, as defined by independent claims 200 and 210, relates to a system and a method for allowing a user of an interactive media guide to watch a program on a viewing device while simultaneously recording another program on a digital storage device. The guide causes a first tuner to tune to a channel corresponding to a first television program. The guide also causes a second tuner to tune to a channel corresponding to a second television program in order to cause the second television program to be recorded by the digital storage device. The broadcast times of the first television program and the second television program overlap such that the first television program is displayed by the viewing device at the same time that the second television program is recorded by the digital storage device.

The Examiner contends that Banker discloses an interactive television program guide configured to "cause said first tuner to tune to a channel corresponding to said first television program in order to cause said first television program to be displayed by said viewing device" and "cause said second tuner to tune to a channel corresponding to said second television program in order to cause said second television program to be recorded by said digital storage device." See Office Action, page 3 (citing Banker col. 9 lines 33-51; col. 16 lines 23-37). Applicants respectfully disagree.

Banker col. 9 lines 35-51 mentions in passing that "[t]o provide for picture-in-picture capabilities or simultaneous watch and record, for example, multiple tuners (not shown) may be provided for tuning to more than one television channel simultaneously." The other portion cited by the Examiner, i.e., Banker col. 16 lines 23-37, mentions two subscriber terminals which are coupled via their data ports, which may operate in a master-slave relationship, and whereby "the subscriber may view information displayed from one of the tuners and record on a VCR, for example, information from the other subscriber terminal."

Thus, Banker simply mentions a two-tuner system formed by two subscriber terminals connected together and operating in a master-slave relationship, and does not even mention how each tuner works under the control of a single interactive television program guide. Even if assuming, for the sake of argument, that Banker describes a guide on a subscriber terminal that controls the tuner in that subscriber terminal, that guide would control only one tuner, and no solution is provided for how simultaneous two-tuner operation would be controlled by the two, separate guides on the subscriber terminals after the terminals are connected. Thus, applicants' solution of configuring a single guide to control the operation of two tuners simultaneously presents a novel, innovative approach to two-tuner operation and is patentable over Banker.

Thus, applicants submit that Banker does not suggest how multiple tuners would or could work in the context of an interactive television program guide, let alone teaching an interactive television program guide that is configured to simultaneously cause a first tuner to tune

to a first television program for viewing and cause a second tuner to tune to a second television program for recording by a digital storage device, as recited by applicants' independent claims.

For at least the foregoing reasons, applicants respectfully submit that independent claims 200 and 210 are patentable. Accordingly, each of dependent claims 201-209 and 211-219 is also patentable at least because it depends, directly or indirectly, from a patentable independent base claim. Applicants respectfully request that the rejections of claims 200-219 be withdrawn.

The cancellation of claims 220-229 renders the rejection of these claims moot.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

/Jimmy Cheng/

Jimmy Cheng
Registration No. 56,045
Attorney for Applicants

Ropes & Gray LLP
Customer No. 75563
1211 Avenue of the Americas
New York, New York 10036
Tel.: (212) 596-9000